

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAMBRIDGE PLACE INVESTMENT
MANAGEMENT INC.,

Plaintiff,

v.

MORGAN STANLEY & CO., INC., *et*
al.,

Defendants.

Civil Action No. 10-cv-11376-NMG

**ASSENTED-TO MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S MOTION TO REMAND**

Defendants ACE Securities Corp., Asset Backed Securities Corporation, Barclays Capital Inc., BCAP LLC, Bear Stearns Asset Backed Securities I LLC, Citigroup Global Markets, Inc., Citigroup Mortgage Loan Trust Inc., CWABS, Inc., CWALT, Inc., Credit Suisse First Boston Mortgage Securities Corp., Credit Suisse Securities (USA) LLC, Deutsche Bank Securities, Inc., FBR Capital Markets & Co., FBR Securitization, Inc., Goldman, Sachs & Co., GS Mortgage Securities Corp., Morgan Stanley & Co. Inc., Morgan Stanley ABS Capital I Inc., Morgan Stanley Capital I Inc., Mortgage Asset Securitization Transactions, Inc., SACO I Inc., Saxon Asset Securities Company, Securitized Asset Backed Receivables LLC, Structured Asset Mortgage Investments II Inc., UBS Securities LLC, J.P. Morgan Securities, Inc., J.P. Morgan Acceptance Corporation I, Long Beach Securities Corp., Washington Mutual Mortgage Securities Corp., RBS Securities, Inc., Financial Asset Securities Corp., HSBC Securities (USA) Inc., HSI Asset Securitization Corporation, Fremont Mortgage Securities Corp., Merrill Lynch, Pierce, Fenner & Smith, Inc., Merrill Lynch Mortgage Investors, Inc., Countrywide Securities Corporation, Banc of America Securities LLC, Banc of America Mortgage Securities, Inc.,

Residential Funding Securities, LLC d/b/a GMAC RFC Securities, Residential Accredit Loans, Inc., Residential Asset Mortgage Products, Inc., Residential Asset Securities Corporation, Asset Backed Funding Corporation, Nationstar Funding LLC, Stanwich Asset Acceptance Company L.L.C., Ameriquest Mortgage Securities, Inc., Argent Securities Inc., NovaStar Mortgage Funding Corp., Park Place Securities, Inc., Popular ABS, Inc., Residential Accredit Loans, Inc., and Residential Asset Mortgage Products, Inc., which are the defendants that have appeared by counsel in this action (collectively, “Defendants”), hereby move for additional time in which to respond to Plaintiff Cambridge Place Investment Management Inc.’s (“CPIM”) motion to remand the above-captioned action to State Court. CPIM, through counsel, assents to Defendants’ motion for additional time to respond to the motion to remand.

As grounds therefor, the parties state:

1. On July 9, 2010, Plaintiff filed a complaint (the “Complaint”) in the Superior Court of the Commonwealth of Massachusetts (the “State Court”) entitled “*Cambridge Place Investment Management Inc. v. Morgan Stanley & Co., Inc., et al.*,” Civil Action No. 10-2741 (the “State Court Action”). Defendants were served with the Complaint on or after July 15, 2010.
2. On August 13, 2010, Defendants J.P. Morgan Securities Inc., Bear Stearns Asset Backed Securities I LLC, J.P. Morgan Acceptance Corporation I, Long Beach Securities Corp., SACO I Inc., Structured Asset Mortgage Investments II Inc. and Washington Mutual Mortgage Securities Corp. filed a Notice of Removal with the Clerk for the United States District Court for the District of Massachusetts (Dkt. # 1) and, pursuant to 28 U.S.C. § 1446(d), promptly gave written notice thereof to all

adverse parties and filed a copy of the Notice of Removal with the clerk of the State Court.

3. On August 13, 2010 and thereafter, numerous other defendants filed Joinders in the Notice of Removal and Notices of Consent to Removal, while reserving all rights and defenses.
4. On September 13, 2010, CPIM filed a motion to remand this action to State Court.
5. The Defendants' opposition to CPIM's motion to remand is currently due on September 27, 2010.
6. Defendants request additional time to address adequately the motion to remand given the complex nature of the litigation and the numerous parties involved. Further, the Defendants require additional time to coordinate joint briefing because they will submit a single, joint memorandum of law on common issues. Individual Defendants reserve the right to submit a limited supplemental memorandum to the extent necessary to address issues unique to such defendant.
7. The parties have agreed, subject to the Court's approval, that the Defendants' response to CPIM's motion to remand shall be due on October 22, 2010. The parties have further agreed, subject to the Court's approval, that CPIM should be allowed to file a reply brief in further support of its motion to remand, and that this reply brief will be due on November 19, 2010.
8. The entry into this agreement and submission of this motion shall not waive, and the parties expressly preserve, all rights, claims and defenses relating to the Complaint and the subject matter of this action, including, without limitation, all defenses relating to jurisdiction, venue and arbitrability.

WHEREFORE, the parties respectfully request that this Court:

1. Grant the instant motion to extend the time within which the Defendants must respond to CPIM's motion to remand until October 22, 2010;
2. Grant CPIM leave to file a reply brief to be due on November 19, 2010; and
3. Grant such further relief as may be just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants, by first class mail, on September __, 2010.

/s/ Nikki Jean Fisher
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